

## **FISCAL NOTE**

### **SB 3245 - HB 3776**

March 23, 2006

**SUMMARY OF BILL:** Authorizes state and local governments to seize conveyance or real property used in the commission of a sex offense against a child less than 18 years of age and seizure of a vehicle, aircraft or vessel used in the commission of a sex offense under Title 39, Chapter 13, Part 5.

#### **ESTIMATED FISCAL IMPACT:**

**Increase Local Govt. Revenues – Exceeds \$4,000,000/Permissive**  
**Increase Local Govt. Expenditures – Not Significant**

**Increase State Revenues – Exceeds \$100,000**  
**Increase State Expenditures – Not Significant**

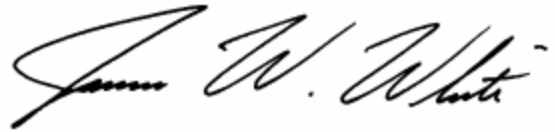
Assumptions:

- Proceeds of forfeitures go to the level of government involved in seizing the goods, as decided by the court. When property is seized in a county by the sheriff or local law enforcement agency, the proceeds would go to that county. When property is seized by the Tennessee Bureau of Investigation (TBI), the proceeds would go to the State Treasury. The proceeds realized by TBI are highly variable dependent upon TBI's level of involvement.
- Based on the TBI Crime Statistics for 2004, there were 4,007 incidents of sex offenses against minors.
- All forfeitures are subject to lien holders rights therefore any outstanding liens would be paid from the sale proceeds. The Office of the Comptroller estimates that 10% (40) of these crimes would result in net proceeds of \$10,000 resulting in an additional \$4,000,000 to local governments. This assumes the proceeds from the sale of seized property covers the cost of disposal of such property and the \$10,000 is after local government costs and payment to lien holders.
- Authorizing the seizure of conveyance under Title 39, Chapter 13, Part 5, does not limit the forfeiture provision to sex offenses committed against minors.

#### **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

**SB 3245 - HB 3776**

A handwritten signature in black ink, reading "James W. White". The signature is written in a cursive style with a large, stylized "J" and "W".

James W. White, Executive Director